

BURSOR & FISHER, P.A.
L. Timothy Fisher (State Bar No. 191626)
Neal J. Deckant (State Bar No. 322946)
1990 North California Blvd., Suite 940
Walnut Creek, CA 94596
Telephone: (925) 300-4455
Facsimile: (925) 407-2700
E-Mail: ltfisher@bursor.com
ndeckant@bursor.com

Attorneys for Plaintiff Marisa Franz

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

GEMMA RIVERA and MARISA FRANZ,
individually and on behalf of all others similarly
situated,

Plaintiffs,

V.

KNIX WEAR, INC.

Defendant.

Case No. 5:22-cv-02137-EJD

**DECLARATION OF L. TIMOTHY
FISHER IN SUPPORT OF THE MOTION
TO CONDITIONALLY WITHDRAW AS
COUNSEL FOR PLAINTIFF GEMMA
RIVERA**

Date: May 11, 2023

Time: 9:00 a.m.

Judge: Hon. Edward J. Davila

Courtroom: 4

I, L. Timothy Fisher, declare and state as follows:

1. I am an attorney licensed, authorized, and admitted to practice law before this Court and the federal and state courts of the State of California. I am a partner in the law firm of Burson & Fisher, P.A., and counsel of record for Plaintiffs Gemma Rivera and Marisa Franz in the above-mentioned action. I make this declaration in support of my firm's Motion to Conditionally Withdraw as Counsel for Plaintiff Gemma Rivera. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I could and would testify competently thereto.

2. My firm is seeking to conditionally withdraw as counsel for Plaintiff Rivera in this action pursuant to California Rule of Professional Conduct 1.16(a)(4) and Local Rule 11-5(a). On March 15, 2023, Ms. Rivera terminated my firm as her counsel in this action. As of the date of this motion, Ms. Rivera has not retained new counsel to the best of my knowledge.

3. Since Ms. Rivera terminated my firm as her counsel, I have forwarded documents filed on the Court's ECF system to her. If the Court grants this motion, I will continue to do that until such time as Ms. Rivera retains new counsel and that counsel appears in this action.

I declare under the penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct. Executed on April 11, 2023, at Walnut Creek, California.

/s/ L. Timothy Fisher
L. Timothy Fisher